

Minutes of Cross Party Group on Human Trafficking – 03.02.14

Attendance

Joyce Watson AM (JW) – AM, NAFW

Keith Davies AM (KD) – AM, NAFW

Nitesh Patel (NP) – Communications Officer, Joyce Watson AM, NAFW

Rhianon Chatterton (RC) – Head of Asylum UKVI

Joanne Hopkins (JH) – Head of Home Office Team, Wales

Stephen Chapman (SC) – Welsh Government, Anti-trafficking Coordinator

Anne Hubbard (AH) – Wales Migration Partnership

Robin Davies (RD) – IJM

Bailjit Gill (BG) – Safer Wales Ltd

Jason Bushell (JB) – IJM, Rep in Wales

Elisabeth Laird (EL) – Intern to David Melding AM

Mwenya Chimba (MC) – BAWSO

Dan Boucher (DB) – CARE

Jacob Morris (JM) – Keith Davies AM, Intern

Agenda

1. Apologies

- Simon Thomas AC/AM
- Bernie Bowen-Thomson – Safer Wales

2. Minutes of last meeting agreed

3. Introduction by Chair, Joyce Watson AM

JW started the meeting by welcoming Jacob on work experience with the office of Keith Davies AM.

Joyce welcomed RC and JH and stated their positions.

4. Item 4

JH thanked the group for inviting her and RC to the meeting. JH said that her role is to provide the strategic interface between Welsh Government and partners in Wales on any Home Office related matters, which includes Trafficking. RC stated that she was Head of the Asylum Team at the UK Visa's and Immigration Team, managing around 40 staff who are responsible for interviewing Asylum Seekers and deciding on cases and also managing the Trafficking team.

JH stated that Trafficking is a high priority for the Home Office. The Home Office has an Inter departmental Ministerial Brief to look at all trafficking related issues. Last year was a big activity period, with the establishment of the National Crime Agency, which is the main Law & Enforcement element of trafficking related activity. Last year also included the publication of the Serious Organised Crime Strategy and towards the end of the year the publication of the draft Modern Slavery Bill.

JH explained the scrutiny process for the Modern Slavery Bill currently going through Parliament and parts of the draft Bill. A Modern Slavery Unit has been set up within the Home Office to discuss all related matters.

The Home Secretary has asked Anthony Steen of Human Trafficking Foundation to report back on his findings from International Visits on Human Trafficking and how the Home Office can work multilaterally to tackle Modern Slavery. There will also review of the NRM and on how best to support victims most effectively and to make sure that the mechanism is working as effectively as can be.

The Organised Crime Strategy also looks to go further by engaging with Private sector employers to look at their supply chains and when they employ people/ get goods from overseas.

There will also be a new Strategic Action Plan in the Spring, which will try bring together all of these elements into a coherent strategy for the future.

There were 34 referrals in 2012/2013, a 25% rise in referrals from the previous year.

The recent case in Gwent highlights the problems that still exist in society and in the modern era.

RC said that her department look at a more localised scenario. RC is also the Safeguarding Lead within the UKBA, alongside Lara Rodrigues. There are 2 dedicated HEO caseworkers that look at reasonable grounds and make decisions on trafficking cases; they are experts in their fields. All caseworkers go through extensive training in order to identify signs of trafficking victims. This training has led to 64% of referrals to the NRM being from the UKBA. A caseworker's ability to detect subtle signs of trafficking have now been substantially improved.

The UKBA are only seeing increases in numbers of those trafficked or identified as trafficking victims.

AH asked a question on the idea of separating Asylum and Trafficking interviews and bringing it outside of the Home Office and if this is something that the Home Office have given thought to introduce.

RC said that one of the things that the team do is that if there is a negative Trafficking or Asylum decision that they are taken by different people. There are a number of benefits of doing an interview in the same place and so that it allows victims to only have to do the interview once.

JH said that the Home Office are open to looking at all available options in order to make the experience of potential victims easier and to balance the benefit and disadvantages in order to reach a conclusion.

MC asked if the review of the NRM is going to be done internally or externally.

JH said that the details of the review have not been finalised and MC would be updated upon them making a decision.

SC said that he is representing the Welsh Government on this and a number of concerns have been raised.

MC asked if the results will be made public.

JH said that she was sure that they will be but the first stage will be to finalise the terms of reference.

JW asked who would be around the table when deciding the terms of reference.

JH said that it was currently a Ministerial commitment and had no further than that at present but as soon as they know more they will update members. SC would be involved in discussions throughout.

DB spoke on the Pilot for Trafficking Advocates in Oxfordshire and West Midlands. DB asked if there would be a Barnett consequential for funding for Wales for similar posts.

JH said that she was not able to provide an answer at present.

BG asked if there will be consultation taking place on the Action plan in the spring before the plan is finalised and with organisations in Wales.

JH said that there will be a level of consultation with partners throughout Wales. How this is managed and looked at will have to be finished. JH said that it was vital that partners are able to communicate their message to key stakeholders through the method set up to collect those views.

JB asked if there was any recovery happening via the Proceeding of Crime Act.

JH said that recovery relies very much on the Police and others using the act and understanding what the potential of the Act is. Law enforcement agencies haven't used it often and it should be used more often in the future.

SC confirmed that so far no money has been taken off anybody. Discussions have happened with the 4 Welsh forces and the recent case in Newport and conviction has attracted a Proceeds of Crime claim.

JW spoke on the inadequacy of the sentencing (2 years and 7 months) in the Newport case. JW said that it sends a clear message that criminals will not get a punitive sentence and the alarming nature of the leniency of sentences. This is a real issue. Acknowledged the proposal to extend the sentence for Trafficking in the Modern Slavery Bill.

JB said that maybe the judiciary needs training.

DB raised the concern of no Welsh Representation for the Draft Modern Slavery Bill and with a connection to Wales.

JH said that the Home Office is working with colleagues in Wales for the Draft Modern Slavery Bill and the role of the Commissioner that is of the most interest and is the most talked about issue currently. For example, the burden on LA's and what the role will entail.

JB asked to what extent does the UK ask experts from other countries and stakeholders /organisations for help in dealing with Human Trafficking.

JH said that there is a requirement in the Serious Organised Crime Strategy in working internationally. There is a strong focus in the strategy in learning what works and what does not and the international responses.

JW raised the concern of problems of internal trafficking and not losing focus on this aspect when discussing all issues around Human Trafficking. JW also asked about the data gathering process for identifying trafficking victims both in Wales and the UK as a whole. JW outlined that the Home Office have been criticised for having a tough anti-immigration approach when dealing with victims of Human Trafficking.

JH said that parts of the organisation such as the UKBI now have a positive story on this and to say that they are at more than 50% of first responders via the Home Office of what the UKBI is able to refer. There is a lot more work to do such as understanding the full picture and individual concerns

(e.g. language barriers of potential trafficking victims and understanding signs of trafficking). The data gathering process for Asylum is strong but more can be done in also ensuring that the data gathering process for Human Trafficking cases is also strong.

RC emphasised the need for greater training and that 64% of referrals are now from the UKBI. Training will allow first encounters to identify quicker the signs of Human Trafficking.

JW asked RC and JH what are the views of the government in offering Guardians for vulnerable children.

JH accepted that Children are the most vulnerable group and from a Wales point of view they want to look at anything they can do to ensure that the group is not being missed. At a UK level, the government is aware of the many calls to ask for further possible support for Children. Information sharing across agencies such as the NHS and education providers can ensure that the UKBI has a fuller and accurate picture on the numbers of cases and of all aspects around this area.

JW spoke on the the concern raised in the All Party Group in Westminster report of a tough immigration approach being taken and asked if this is still the case.

JH said that this approach has now changed and that Human Trafficking was the number 1 priority, with increased training and awareness raising and the support needs required.

JW raised the concern within the All Party report that neither modern day slavery or forced labour are included within the counting rules and only sexual exploitation is included within the counting rules. JH was not aware and said that if they were not within the counting rules then a period of review would have to be followed to look at this.

SC confirmed that they are not in the counting rules and that currently the NRM is the most accurate data set available. The NRM figures have gone up 47% from previous and the majority of referrals have been through BAWSO.

DB said that the Modern Slavery Bill is very much a Criminal Justice Bill and not victim centred, beyond tough sentencing for criminals. Having provision for Child Trafficking Guardians and taking

consideration of the pilot projects being run should go beyond best practice guidance being put together for LA's and into a full Guardianship system recognised in statute.

SC said that only 3 Local Authorities have referred cases to the NRM.

DB raised the concerns of children having gone missing from care after having been identified as trafficking victims.

JH said that the Home Office had a recent meeting to identify the numbers of people claiming Asylum, which has risen.

JW referred to rumours of very large employers in Wales, in particular in Rural Areas, taking advantage of potential victims of trafficking.

RC said that if her department is informed of any such incidents then their team will investigate it further.

JH said that there is still work to do for their organisation, the Police and other enforcement agencies in informing members of the public of the different mechanisms for informing authorities of potential cases of Human Trafficking.

SC said that the Gangmasters Licencing authority is going to have a major purge of agricultural practices in Wales. The Leadership Group has commissioned a DVD and national adverts on Buses and TV on all forms of Modern Slavery.

JB said that he had heard that there are certain key airports that are rife with Trafficking and because they are lacking in surveillance. Gatwick and Cardiff mentioned.

SC said that the Welsh Government wants to make Wales hostile to trafficking. Annual Report produced. The webpage includes all information the WG is doing on trafficking. The inclusion of BAWSO as a first responder has seen the number of referrals go up. Training is going well. Intelligence sharing across agencies is also working well. Hard copies of the DVD disc is available on request from SC. The WG is commissioning a performance of Theatre vs Oppression for AM's and a

DVD of that performance will be produced. SC provided an example of a recent case in supporting a trafficking victim. The NRM figures for 2013 were now released.

BG outlined the approach in dealing with the case referred to by SC and that it shows how a multi-agency approach can work. Safer Wales was now finalising information sharing protocols with key agencies and envisages that this will be finalised in a few days.

JW asked how SC is finding the engagement of Police Commissioners in engaging with this agenda. SC said that he has seen the Police Commissioners and informed them of all of the research and work in Wales and to encourage them to engage in this agenda.

JW said she remains concerned with Children Missing from Care. The report from JW was followed up with a report from the Wales on Sunday. A year after the report there are still the same concerns raised that were in the report by JW. More needs to be done on this issue to tackle the problem of LA's not fulfilling their responsibilities. JW said that it was worth seeing Theatre vs Oppression. It is a great play.

It was agreed that the issue of Guardianships should be the next agenda item for the CPG and to ask the Children's Commissioner for Wales to attend the next weekend.

AH asked if the Guardian system is running in Scotland.

DB confirmed that a Guardianship model is being running in Scotland.

JW referred to being asked to visit Guernsey soon and being asked to be a Guest Speaker.